

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

DUSTIN MIDDENDORF,

Plaintiff,

v.

Case No. 3:17-cv-00911-JPG-SCW

PHILLIP MCLAURN,

Defendant.

**MEMORANDUM AND ORDER**

This matter comes before the Court on the Report and Recommendations (“Report”) (ECF No. 30) of Magistrate Judge Stephen C. Williams with regard to the defendant’s motion for summary judgment for failure to exhaust administrative remedies (ECF No. 16). The Court may accept, reject, or modify—in whole or in part—the findings or recommendations of the magistrate judge in his Report. FED. R. CIV. P. 72(b)(3). The Court must review *de novo* the portions of the report to which objections are made. *Id.* “If no objection or only partial objection is made, the district court judge reviews those unobjected portions for clear error.” *Johnson v. Zema Sys. Corp.*, 170 F.3d 734, 739 (7th Cir. 1999).

Here, the Court has received no objection to the Report. The Court has reviewed the entire file and finds that the Report is not clearly erroneous. Accordingly, the Court:

- **ADOPTS** the Report in its entirety (ECF No. 30);
- **GRANTS** the defendant’s motion for summary judgment (ECF No. 16); and
- **DISMISSES** this case **WITHOUT PREJUDICE** for the plaintiff’s failure to exhaust his administrative remedies.

**IT IS SO ORDERED.**

**DATED: NOVEMBER 13, 2018**

s/ J. Phil Gilbert  
**J. PHIL GILBERT**  
**DISTRICT JUDGE**